

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30014 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- SONEPUR District- Saran

Manoj Kumar Ray Son of Late Shiv Prasad Ray Resident of Village -
Shikarpur, P.s.- Sonpur, Distt.- Saran Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Anjani Pd. Singh, Advocate
For the Opposite Party/s	:	Mr. Nityanand, A.P.P.
For the Informant	:	Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B)/34 of the Indian
Penal Code.

According to prosecution case, in brief, is that one
Birbal Kumar Ray lodged written report to the police station
stating therein that her sister was married twelve years before
with one Manoj Kumar Ray, at the time of marriage his mother
and relative has given costly articles golden and silver jewellery



but Mano Kumar Ray, Mohan Ray, Sanjay Ray, mother-in-law and both the sister-in-law has been teasing and assaulting her, she has become frustrated and residing in pressure she has not any child due to that reason the family member has torturing her. On 23.01.2022 Manoj Kumar Ray (petitioner) has informed him that his sister has committed suicide upon that information he alongwith other persons reached there alongwith the administration and after opening the room dead body has brought out and it appears that she committed suicide and even, written suicide note has been found there. It appears due to family pressure this occurrence has taken place and he does not find jewellery on her body and found some marks of assault.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the police after investigation submitted the charge sheet No. 87 of 2022 dated 31.03.2022 under Section 306 of the Indian Penal Code only. He further submits that in fact the petitioner is the husband of the deceased and the marriage was performed in 12 years before and it has come during investigation that the deceased has committed suicide herself. The petitioner is in custody since 04.02.2022.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sonpur P.S. Case No. 58 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the



court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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